

REMARKS/ARGUMENTS

The claims are 1-5 and 8-13 with claims 14 and 15 having been withdrawn from consideration by the Examiner as directed to a non-elected invention. Claim 1 has been amended to better define the invention. Support for the claims may be found, *inter alia*, in the disclosure in the paragraphs bridging pages 3-4, and in the first full paragraph on page 4. Reconsideration is expressly requested.

Claims 14 and 15 added in Applicants' Amendment filed August 11, 2005 have been treated by the Examiner as directed to an invention that is independent or distinct from the invention originally claimed. Applicants respectfully traverse this restriction as it is believed that any search for the invention embodied in the original claims would necessarily include a search of the invention embodied in claims 14 and 15. Thus, it is respectfully submitted that an additional search would be unnecessary. In addition, it is believed that the necessity of filing multiple patent applications in this case does not serve to promote the public interest because of the extra expense that is involved in filing fees and examination costs as well as the burden upon the public due to the necessity of searching through

a multiplicity of patent files in order to find a complete range of subject matter claimed in several different patents that could otherwise be found in one issued patent only. Accordingly, it is respectfully requested that the restriction requirement be withdrawn, and that claims 14 and 15 be considered along with the remaining claims in this application. Applicants reserve the right to file a divisional application for claim 14-15.

Claims 1-5 and 8-13 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner has taken the position that amended paragraph (b) in claim 1 is unclear as to whether the styrene block copolymer must be included in the adhesive layer with the polyolefin mixture. In response, Applicant has amended claim 1 to better define the invention, and has canceled the term "amorphous poly- α -olefins" from the group of polyolefins in claim 1. It is believed that this claim is fully supported in the specification for the following reasons.

As indicated in the first full paragraph on page 4 of the specification, Applicants' invention is based on the recognition that styrene block copolymers can be used without additional tackifiers as an adhesive polymer component in a pressure

sensitive-adhesive layer. As indicated in the paragraph bridging pages 3-4 of the specification, a mixture of styrene block copolymers and additives (plural) is preferred to modify the adhesive strength. Polyethylene and polypropylene are explicitly named as suitable components for these mixtures. Accordingly, in view of these paragraphs, it is believed that a mixture of polyethylene and polypropylene are unambiguously included. Moreover, in accordance with the preferred embodiments of the invention, the explicitly named polyolefins can also be used as the sole admixture to a styrene block copolymer.

Accordingly, it is respectfully submitted that the currently pending claims fully comply with 35 U.S.C. 112, and Applicants respectfully request that the rejection on that basis be withdrawn.

Claims 1-5 and 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over *EPA 0661364*. The remaining claims 11-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over *EPA '364*. Essentially, the Examiner has repeated his previous position made in the April 18, 2005 Office Action.

According to paragraph 5 of the Final Office Action, claims 1-5 and 8-10 are rejected because the co- or ternary alpha olefins disclosed by *EPA 0 661 364* might be included in the generic term "amorphous poly-alpha-olefins". As Applicants have canceled this generic term from amended claim 1, it is respectfully submitted that *EPA '364* fails to anticipate claim 1, as amended.

Moreover, for the reasons set forth in Applicants' August 11, 2005 Amendment, Applicants respectfully submit that *EPA '364* likewise fails to render obvious the subject matter of claim 1, as amended. As stated in Applicants' previous response, the adhesive properties of the adhesive layer are governed by the styrene block copolymer, and an inexpensive polyolefin, which can be extruded easily, is added to reduce the adhesive strength in accordance with Applicants' claim 1, as amended. As currently only polyethylene and polypropylene are claimed as admixtures for the styrene block copolymers, Applicants respectfully submit that claim 1, as amended, confirms the arguments made in Applicants' previous Amendment, and potential doubts based upon a broad interpretation of the term "amorphous alpha-olefins" are eliminated.

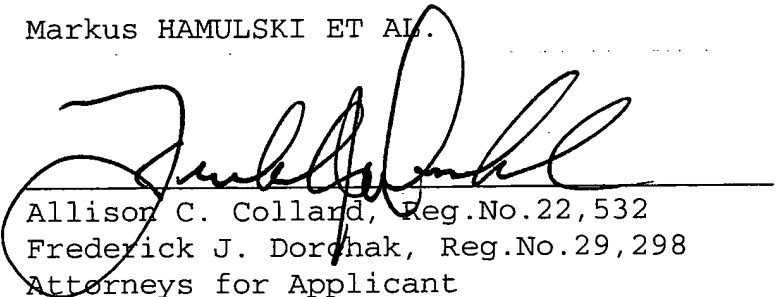
In contrast to Applicants' invention as set forth in claim 1, as amended, the adhesive properties of the film disclosed in EPA '364 are governed by a structurally-complex and difficult to process co- or ternary polyolefin as the chief component of the adhesive layer. Such a polymer is not provided in the adhesive layer of the present invention as set forth in claim 1, as amended. Accordingly, it is respectfully submitted that the claims are patentable over EPA '364.

In summary, claim 1 has been amended. In view of the foregoing, withdrawal of the final action and allowance of this application are respectfully requested.

Respectfully submitted,

Markus HAMULSKI ET AL.

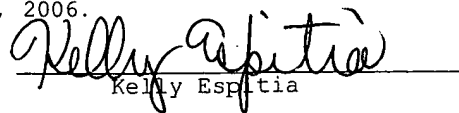
COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
FJD:djp



Allison C. Collard, Reg.No.22,532
Frederick J. Dorchak, Reg.No.29,298
Attorneys for Applicant

Enclosure: Copy of a Petition for a two month extension of time.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 6, 2006.



Kelly Espitia